



## Berth pangs

The Congress and the JD(S) need to quickly resolve their differences over portfolio sharing

Quick and bold decisions are more often made during moments of crises than during periods of relative calm and quiet. After sealing a deal on a post-poll coalition in Karnataka even before the counting of votes drew to a close, the Congress and the Janata Dal (Secular) are unable to reach an understanding on Cabinet berths and portfolios almost a week after the coalition proved its majority on the floor of the Assembly. Other than on having H.D. Kumaraswamy of the JD (S) as the Chief Minister and G. Parameshwara of the Congress as the Deputy Chief Minister, the two parties have been unable to agree on the contours of the coalition government. The Congress, which was hurried into conceding considerable ground to the JD(S) by a fast-moving opponent in the Bharatiya Janata Party, is now driving a hard bargain on the strength of its own numbers. The reasoning is that the party, with twice as many members as the JD(S) in the Assembly, should have its choice of ministries such as finance, home, public works and energy as the bigger partner that had stepped back from the race for the chief ministership. Otherwise, this would leave the JD(S) as the recognisable face of the government, leaving little for the Congress. The JD(S) appears willing to concede more berths to the Congress, but would like to have some of the key portfolios, especially finance, for itself.

In the post-GST regime the finance portfolio in a State is shorn of substantial tax-levying powers, but the presentation of the budget in the Assembly is still the occasion for announcing schemes and major policy initiatives. The home portfolio is important for the control of the police force, and its intelligence wing. Indeed, the first major decision that B.S. Yeddyurappa took after being sworn in Chief Minister was to make appointments to the intelligence wing of the police. Public works, another sought-after portfolio, allows the minister in charge control over construction of government buildings and road works with huge outlays. Public works contractors constitute the middle rungs in most political parties, and ministers need to distribute patronage, favours and contracts to keep up their own network of power and influence. The more protracted the tussle for berths and portfolios, the harder it will be for the new government to infuse confidence in the public mind about the post-poll coalition. After having thwarted the BJP by offering unconditional support to the JD(S), the Congress cannot afford to get into an unseemly scramble for portfolios now. But neither can it allow the JD(S) to run the government as its own show. Tact is everything in reaching a compromise.

## Paper chase

The Election Commission must review the use of paper trail machines in the polling process

The high incidence of glitches in the Voter Verifiable Paper Audit Trail (VVPAT) machines in Monday's by-elections should be a major cause of concern for the Election Commission of India. Fresh polling had to be ordered in dozens of booths in Kairana and Bhandara-Gondiya in Uttar Pradesh and Maharashtra, respectively, as a consequence. Ever since the implementation of the VVPAT system last year, machine malfunction and subsequent delays in polling have been recurring issues. Close to 4.2% of the VVPAT machines deployed in the Karnataka Assembly elections this month developed glitches during the testing as well as polling processes. The overall fault rate was as high as 11.6% in the by-elections held in four parliamentary and nine Assembly constituencies on Monday. The ECI has suggested that these machines were more prone to malfunctioning due to their sensitivity to extreme weather conditions and exposure to light. It also blamed the relative inexperience of polling officers handling them, compared to the ballot and control units for the electronic voting machines (EVMs) that have been in use for much longer. The technical committee of the ECI is now faced with a challenge to ensure that the VVPAT machines hold up, with the general election due next year in the hot summer months. The VVPAT was added to the EVM to audit the voter tallies stored in the machine. Its universal implementation – which began in the Goa Assembly polls in February 2017 – was deemed necessary as many political parties complained about the possible hacking of EVMs. These complaints lacked any basis, but the VVPAT implementation was hastened to bring back trust in the election process. In all elections where it has been used, the VVPAT tallies have matched with the EVM counts, but for a stray case or two when the VVPAT machine was not reset before polling began.

Inadvertently, the use of these machines, which are adjuncts to the ballot and control units of the EVMs, has added to the complexity of an otherwise simple, single programmable-chip based system, and rendered it prone to more glitches. There is enough empirical evidence to show that EVMs have eased polling and helped increase voter turnout since being put to use. But in using VVPAT machines to reassure sceptics about an election's integrity, the ECI has introduced a new element, and cost, to the process. Considering these challenges, the ECI should consider deploying the VVPAT machines in a limited, statistically significant, randomly chosen set of polling booths. This will reduce the possibility of glitches affecting the polling process as well-tested machines could be deployed (with enough replacements also handy) to such booths. The current verification process, after all, only involves the counting of VVPAT slips by randomly choosing one booth from each constituency (or segment), and this check should not be affected drastically by the new method.

# The federalist principles

Deep questions of equity are raging in India and the U.S. — hyper-nationalism is blurring the debate



VARGHESE K. GEORGE

Debates over taxation and representation have been central to the evolution of democracy over centuries. India and America, the biggest and oldest democracies, respectively, are in the midst of a renewed debate over these subjects in recent months, the repercussions of which will be felt decades into the future.

### The two cases

In the U.S., the Donald Trump administration's decision to include a question on citizenship in the 2020 Census form is being challenged by several States and cities. Unlike India, the U.S. reallocates the 435 seats in the House of Representatives after each Census. This process of reapportionment also leads to a redistribution of the 538 electoral college votes that elect the President. Besides determining how many seats each State will have in the U.S. House, the Census will also determine allocation of federal, State, and local government funds for social services, community programmes and infrastructure. Critics say seeking citizenship information will suppress the count of non-citizens, who may be legal or undocumented, in the Census, disadvantaging States and cities with more immigrants. Simultaneously, the federal tax code rolled out by the Trump administration seeks to punish States with high taxation and high welfare spend, which tend to be Democratic. In response, several Democratic states have announced measures to help resi-

dents circumvent provisions of the federal tax law.

In India, the decision to switch from the 1971 Census to the 2011 Census for the 15th Finance Commission is troubling States with low population growth, which are more or less also the States that contribute a relatively higher share per capita to the national tax kitty. After the 2031 Census, India will switch to a pan-country delimitation of parliamentary constituencies, as opposed to the current practice of redrawing constituencies without affecting the number of seats in individual States. This will result in reduced parliamentary representation for States with higher success in checking population growth, typically through better social welfare and education strategies.

### Deeper questions

Underlying the many concerns expressed in terms of federalism and the regional power balance, however, are also deeper questions of citizenship, identity and marginalisation of religious, linguistic and ethnic minorities in both democracies.

America's founding fathers had made "no taxation without representation" a principle of democracy, but the correlation between taxation and representation is rather weak now. Every year, a million people come to the U.S. as legal residents and potential future citizens and start paying taxes without legislative representation. So is the case with hundreds of thousands of guest workers. However, they get represented in an oblique manner by virtue of being counted in the Census. Some conservative groups are campaigning for redistricting and resource allocation based on the number of citizens, as opposed to residents, in a geographical area. The question



remains open as a backdrop to the Trump administration's move to count citizens.

A second critical principle of democracy, "one person, one vote," was established in the U.S. through a series of judgments by the Supreme Court through the 1960s, alongside the Voting Rights Act that empowered African-Americans to exercise their franchise. Both debates were political-ly fraught. The American electoral map had overlooked the massive urbanisation in the country in the first half of the 20th century. Rural voters in thinly populated Congressional districts held hugely disproportionate political power compared to expanding cities, and lawmakers had no incentive to redraw the political map. Since the late 1960s, regular reapportionments have been institutionalised.

Universal franchise and the principle that everyone's vote must carry equal value were part of the Indian Constitution originally. Subsequent constitutional amendments have mandated that the distribution of parliamentary representation among various States be based on the 1971 Census, until the first Census after 2026. The effort was to avoid disadvantaging States that stabilised their populations. But the result is, for example, that around 1.7 mil-

# Charting its own path

Why the 20th anniversary of the Pokhran nuclear tests was so muted this month



PRIYANJALI MALIK

Some anniversaries are celebrated with enthusiasm while others are merely observed. The muted response to the 20th anniversary of India's nuclear weapons tests this past month puts this milestone firmly in the second category (*picture is of the test site at Pokhran*). It is a far cry from the triumphalism that overtook India 20 years ago. And yet, in crossing the rubicon (a phrase from that era) India took a gamble with the international nuclear regime that, despite the turbulent reception, has largely paid off. Even if India today is not quite at the Nuclear Non-Proliferation Treaty (NPT)-sanctioned top table of the original five nuclear weapons states (NWS), it is not in the company either of the other two self-declared nuclear weapons powers, Pakistan and North Korea. Therein lies the rub.

### No place at the top table

Today India occupies a special position as a responsible state with advanced nuclear technology, to quote from the 2005 Joint Statement announcing the India-U.S.

nuclear deal. This status is a product and a reflection of the steady attempt by New Delhi to shift attention away from its nuclear weapons and towards its civil nuclear technology. India could not act like just another nuclear weapons power. That route to the top table closed when the NPT was negotiated. India has therefore had to make different choices from the original five. By the time the NPT was negotiated, the world had witnessed 925 tests by the NWS, including 96 by the U.S. in 1962 alone. New Delhi declared a moratorium on testing after the two series of tests on May 11 and 13.

India published a draft nuclear doctrine within five years of testing. The U.S. first published its Nuclear Posture Review in 1994. None of the other NWS has an explicitly published doctrine, though enough can be gleaned from U.K. White Papers and official French and Chinese pronouncements. Even though debate on doctrine has since stalled, the point remains that India hoped transparency would help legitimise its nuclear choices and carve out a path to the nuclear top table.

Reality, however, did not pan out that way. Each pronouncement on deterrence only strengthened the link between India and Pakistan. From being accused of precipitating Pakistan's 1998 tests, to not appreciating the potential for a nuclear exchange, India



learned that its international interlocutors were unable to view nuclear possession by the two South Asian neighbours with any degree of equanimity. Never mind that the then Prime Minister, A.B. Vajpayee, had mentioned two nuclear neighbours, not one, in explaining the reasons for the test. Nuclear weapons bound India ever closer to Pakistan; worse, they gave Pakistan the ability to invite international attention to the bilateral relationship by playing on extra-regional fears of tensions escalating to a nuclear level. Witness the anxiety generated by Kargil and the 2001/2002 deployment. By the Mumbai attacks in 2008, India had shifted attention away from weapons to the civil nuclear side of things. That it kept the response to Mumbai firmly in the diplomatic sphere despite Pakistan's attempts to raise the bogey of Indian troop deployments speaks to the realisation that India's nuclear weapons could be used against India by those outside its borders.

This might explain India's muted presence in current discussions on deterrence. The U.S., Russia

and China are modernising their nuclear assets; the U.S. and Russia are also developing weapons with calibrated yields. Pakistan claims to have developed tactical nuclear weapons. India has stayed away from these discussions. Its position, as declared in 2003, states that India will respond to WMD use against it with a strike designed to cause unacceptable damage.

In contrast, India has been very vocal about joining the Nuclear Suppliers Group (NSG) and the Missile Technology Control Regime (MTCR), the informal groupings that control trade in nuclear and dual-use technology. Along with the Wassenaar Arrangement and the Australia Group, they control trade in sensitive materials and technology; together, they provide ballast for the nuclear regime underpinned by the NPT.

And here we come to perhaps the main reason for India's nuclear behaviour. India has a troubled relationship with the NPT. Though deciding against accession in 1968, India supports the Treaty and has benefited from the stability it has provided by limiting the spread of nuclear weapons. And yet, India is the prize sought by several NPT adherents who wish to bring it into the fold as a non-nuclear weapons state. By the terms of the NPT, India cannot be a 'nuclear have' as the Treaty only recognises those states that conducted a nuclear

tional identity and purpose, the more prosperous people and regions would have to share their wealth with relatively poorer communities and regions. Taxation and redistribution are among the tools through which democratic societies seek to achieve this goal. It is not that regionalism was never a part of politics in the U.S. or India, but in recent years the competition among States has been institutionalised and the rationale of taxation and redistribution itself is being undermined by the market economy. Since 2015, Indian States are ranked for ease of doing business; in a starker demonstration of this logic, Amazon is conducting a competition among American States to decide where to house its second headquarters. States that do well by competition, often by offering sops to investors, are then expected to concede resources to weaker States for the good of the collective, creating a tense dynamic.

The current climate of hyper-nationalism in India and America is only exacerbating tensions instead of tempering this conversation. Who are the more authentic members of the nation and who the more legitimate claimants for its resources were questions that fuelled the populist, hyper-nationalism undercurrents in India in 2014 and in the U.S. in 2016. Several policies enacted by governments in both countries since then smack of a majoritarian project. As new debates over representation and taxation open old wounds, the challenge before both democracies is to imagine a national community that is inclusive, representative and reassuring for all its minorities – religious, linguistic, ethnic and the economically marginalised.

varghese.g@thehindu.co.in

test before 1968 to be NWS. So the only way to fully legitimise India's (legal) nuclear choices is to make the NPT irrelevant to India, while not undermining the Treaty. Joining the NSG and MTCR would help as the informal guidelines for membership require accession to the NPT. India has most of what it needs from the NSG from the 2008 waiver, certainly for the current desultory progress in nuclear power production. Membership would not significantly affect power production, and yet accession remains so totemic as to overshadow the fact that we have actually joined the MTCR, Wassenaar Arrangement and Australia Group in 2016, 2017 and 2018, respectively.

### Focus on civil use

India's choosing to clear its path to that seat using civil nuclear rather than weapons development is a purely pragmatic decision. Deciding to test in May 1998 at Pokhran was probably the last truly sovereign decision that it made in this field. Now declared, what India chooses to do with its nukes is – legitimately – a global concern. This may explain why May 11 is now National Technology Day and a rising India is protecting its economy by shifting attention away from the Bomb.

Priyanjali Malik is an independent researcher focussing on politics and nuclear security in South Asia

## LETTERS TO THE EDITOR

Letters emailed to letters@thehindu.co.in must carry the full postal address and the full name or the name with initials.

### Viva Brazil

This year marks seven decades of diplomatic relations with Brazil. Both India and Brazil share many similarities, are committed to democratic values and aim to foster economic growth with social inclusion. Their foreign policy is anchored in dialogue, peaceful resolution of conflicts and South-South cooperation. While India-Brazil bilateral trade has increased substantially over the last decade, there is still enormous potential. The first forms of Indian culture to reach Brazil were related to spirituality, philosophy and religion. Mahatma Gandhi is highly regarded in Brazil. A 10-day festival of India was held last year in Brasilia, Sao Paulo and Rio de Janeiro to celebrate 70 years of India's independence. The vibrant

Indian community in Brazil comprises mainly professors, businessmen and some scientists. There are about 500 Brazilians in India; about 60 Brazilian students enrolled in India for ITEC programmes, communications, management and defence studies. At the academic level, Brazilian and Indian universities have displayed interest in bilateral relations. Finally, Brazil and India can also collaborate in the promotion of sports. Football is one area. India in turn can offer its cricket expertise to Brazil.

EDUARDO FALEIRO,  
Raia, Salcete, Goa

### Managing water

Although water scarcity is a global issue, solutions such as rain water harvesting must be identified at the local level (Editorial – "Stress test", May 28). In

this, India is fortunate that it is not a water scarce nation. Since the world's fresh water supply is fixed, we will have to increasingly rely on technologies of water conservation and reuse, including recycled sewage water. Currently, a minuscule part of treated water is used for industrial purposes. The aversion to using recycled water is psychological. Newer technologies, including advanced irrigation systems that use less water, and precision agriculture that incorporates data to boost productivity and improve soil health should be looked into. There should also be an emphasis on water recycling and efficient water use in agriculture such as drip irrigation and desalination.

H.N. RAMAKRISHNA,  
Fairfax, Virginia, U.S.

### A prognosis

The National Health Protection Scheme, Ayushman Bharat, has a political agenda and lacks transparency, in turn leading to corruption in the working system, a lack of enthusiasm in the medical fraternity and a huge loss as far as poor patients are concerned. It is a pity that the writer (Editorial page, "A health scheme that should not fail", May 28) has failed to highlight the core issues. The current political dispensation and its predecessors have failed miserably in allocating funds (less than 2% GDP); synchronising reforms; upgrading primary, secondary and tertiary-care medical colleges and headquarter hospitals with manpower and equipment; ensuring balance in State health governance; and acting against quacks and

cross-practitioners. The private sector too needs to introspect about cost curtailment.

Ds., J. TERENCE JOSE JEROME,  
Tiruchi

There is no doubt that there are a lot of gaps in the health sector in terms of affordability of health services (public or private), a lack of standard quality and insufficient investment in human resources and equipment. Unregulated commercialisation of the health sector is what has led to a rise in unethical practices. Ayushman Bharat can progress only if it is accompanied by a regulation of the sector, better accountability and monitoring, equity in rural-urban health services and a balance in private-public health services.

MUSKAN MEHRA,  
New Delhi

### In the House

People are well aware of the challenges Speakers in our legislative bodies face today (OpEd page, "The Wednesday Interview" – P.J. Kurien, "Stress and disorder are increasing in Parliament", May 30). because of the adversarial attitude being adopted in politics. Parliament has become a place only for a show of strength. The camaraderie of the past is rare. Whenever sessions are on, one only hears negative terms – "logjam" "disruption", "bedlam" "impasse", "standstill", "pandemonium", "adjournment". Just as we are exhorted to observe our responsibilities, our representatives need to follow the same.

R. SRIDHARAN,  
Chennai

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